



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	)	Examiner: Belyavskiy, Michail A.
Mary E. GERRITSEN, et al.	)	Art Unit: 1644
Application Serial No. 09/940,101	)	Confirmation No: 4279
Filed: August 27, 2001	)	Attorney's Docket No. 39766-0072 A2
For: ErbB4 ANTAGONISTS	)	Customer No. 25213

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INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97

**MAIL STOP RCE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Listed below or on an attached Form PTO-1449 is information known to applicant(s). A copy of each listed publication and U.S. and foreign patent, except for pending U.S. applications, is being submitted herewith, along with a concise explanation of information in a foreign language, if any, pursuant to 37 C.F.R. §1.97-1.98.

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. If form PTO-1449 is enclosed, the Examiner is requested to initial and return it in accordance with MPEP §609.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56.

☒ This statement qualifies under 37 C.F.R. §1.97, subsection (b) because (check all that apply):

- |                          |                                                                                                                                            |
|--------------------------|--------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> | (1) It is being filed within 3 months of the application filing date and is other than a continued prosecution application under § 1.53(d) |
|                          | -- OR --                                                                                                                                   |
| <input type="checkbox"/> | (2) It is being filed within 3 months of entry of a national stage                                                                         |
|                          | -- OR --                                                                                                                                   |
| <input type="checkbox"/> | (3) It is being filed before the mail date of the first Office Action on the merits                                                        |
|                          | -- OR --                                                                                                                                   |

- ☒ (4) It is being filed before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.
- ☐ 37 C.F.R. §1.97(c). If this statement is being filed after the latest of: (1) three months beyond the filing date of a national application; (2) three months beyond the date of entry of the national stage as set forth in §1.491 in an international application; or (3) the mailing date of a first Office action on the merits, but before the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, then:
- ☐ a certification as specified in §1.97(e) is provided; **or**
- ☐ a fee of **\$180.00** as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.
- ☐ 37 C.F.R. §1.97(d). If this statement is being filed after the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, but before payment of the issue fee, then:
- A. a certification as specified in §1.97(e) is completed; and
- B. a petition under 37 C.F.R. §1.97(d) requesting consideration of this statement is submitted herewith; **and**
- C. a fee of \$180.00 as set forth in §1.17(i)(1) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.
- ☒ *Fee Authorization.* The Commissioner is hereby authorized to charge the above-referenced fees of **\$0.00** and charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. **08-1641 (Attorney's Docket No. 39766-0072 A2).**

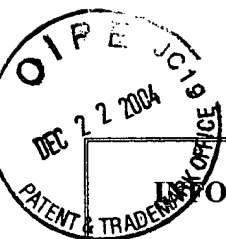
Respectfully submitted,

Dated: December 22, 2004

By: 

James A. Fox (Reg. No. 38,455)

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<b>INFORMATION DISCLOSURE STATEMENT</b>  PTO-1449			<b>ATTY. DOCKET NO.:</b> 39766-0072A2		<b>SERIAL NO.:</b> 09/940,101		
			<b>APPLICANT :</b> Mary E. GERRITSEN, et al.				
			<b>FILING DATE:</b> August 27, 2001		<b>GROUP:</b> 1644		
<b>U.S. PATENT DOCUMENTS</b>							
EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE	
<b>FOREIGN PATENT DOCUMENTS</b>							
EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>							
	Lauder et al., "Quantification of the repair process involved in the repair of a cell monolayer using an <i>in vitro</i> model of mechanical injury," <i>Angiogenesis</i> 2(1):67-80 (1998)						
	Poon et al., "Rapamycin Inhibits Smooth Muscle Cell Migration," <i>J. Clin. Invest.</i> 98:2277-2283 (1996)						
	Wakino et al., "Retinoids Inhibit Proliferation of Human Coronary Smooth Muscle Cells by Modulating Cell Cycle Regulators," <i>Arterioscler Thromb Vasc Biol</i> 21:746-751 (2001)						
<b>EXAMINER</b>			<b>DATE CONSIDERED</b>				

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.